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EXAMINER	
CHEN, QING	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/733,037	PURCELL, KEITH J.	
	Examiner	Art Unit	
	Qing Chen	2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 June 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9 and 12-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9 and 12-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is in response to the amendment filed on June 9, 2008.

2. **Claims 1-9 and 12-26** are pending.

3. **Claims 1, 12, and 17-19** have been amended.

4. **Claims 10, 11, and 27** have been cancelled.

5. The objection to the specification due to the use of trademarks is maintained in view of Applicant's arguments and further explained below.

6. The objections to Claims 1, 12, and 17-19 are withdrawn in view of Applicant's amendments to the claims.

7. The 35 U.S.C. § 112, first paragraph, rejections of Claims 1-9 and 12-26 are withdrawn in view of Applicant's arguments.

Response to Amendment

Specification

8. The use of trademarks, such as JAVA, J2EE, and JSP, has been noted in this application. Trademarks should be capitalized wherever they appear (capitalize each letter OR accompany each trademark with an appropriate designation symbol, *e.g.*, ™ or ®) and be accompanied by the generic terminology (use trademarks as adjectives modifying a descriptive noun, *e.g.*, "the JAVA programming language").

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. **Claims 1-9 and 12-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over **US 2004/0088688 (hereinafter "Hejlsberg")** in view of **US 7,185,046 (hereinafter "Ferstl")**.

As per **Claim 1**, Hejlsberg discloses:

- generating a description of an application *(see Figure 2: 200; Paragraph [0006], "... a file, such as a database mapping description or declaration, is authored by a user or a design tool in a particular data language in which a format can be defined, such as XML. Such an exemplary file is referred to as a blueprint ...")*;

- providing said description to a web service *(see Paragraphs [0017], "Blueprints allow the ASP.NET markup-and-code paradigm to be extended to other domains such as user interfaces, database mapping, web services, and compiled extensible stylesheet language (XSL) transforms." and [0087], "The present invention can be applied to a wide variety of technologies, such as ... web services ...")*;

- parsing said description by said web service *(see Paragraph [0035], "Upon receiving the blueprint 200, the blueprint translator 210 parses the blueprint (using, e.g., an XML parser) ...")*;

- supplying said description to said node *(see Paragraph [0035], "... provides the parsed blueprint to a Document Object Model (DOM) for further processing. The output of the DOM is provided to a semantic analyzer and code generator. Source code 220 is thereby generated in accordance with predetermined schemas, patterns, and/or hierarchical rules, for example.")*;

- applying said description to said suitable coding module to generate an output object *(see Paragraph [0035], "... provides the parsed blueprint to a Document Object Model (DOM) for further processing. The output of the DOM is provided to a semantic analyzer and code generator. Source code 220 is thereby generated in accordance with predetermined schemas, patterns, and/or hierarchical rules, for example."; Paragraph [0058], "... a blueprint translator can use the CodeDOM (an object model for abstract syntax trees and code generation provided in the System.CodeDom namespace) to generate source code in a language-neutral fashion.")*; and

- returning said output object *(see Paragraph [0035], "The source code 220 may access or point to a supporting framework or class library 230.")*.

However, Hejlsberg does not disclose:

- locating a suitable coding module via a node contained within a computational grid, wherein said computational grid includes a plurality of computers sharing computational resources.

Ferstl discloses:

- locating a suitable coding module via a node contained within a computational grid, wherein said computational grid includes a plurality of computers sharing computational resources *(see Column 1: 52-67 to Column 2: 1-8, "A computing grid is a hardware and software infrastructure serving to handle computing jobs submitted by a user. The computing grid may interconnect distributed computers, storage devices, mobile devices, instruments, sensors, data bases and/or software applications. Generally a computing grid may comprise virtually any kind of computing device and includes a grid infrastructure to handle the distribution of computing jobs." and "Upon receiving an instruction to distribute a computing job the grid infrastructure selects a suitable computing device and transfers the computing job to the selected computing device." and "Accordingly, a user or application at a client device may issue an instruction to execute a computing job towards the grid infrastructure which in turn selects a suitable processing element and the processing results are ultimately returned to the client.")*.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ferstl into the teaching of Hejlsberg to include locating a suitable coding module via a node contained within a computational grid, wherein said computational grid includes a plurality of computers sharing computational resources. The modification would be obvious because one of ordinary skill in the art would be motivated to utilize a plural number of computing devices to quickly solve a single computing task *(see Ferstl – Column 1: 46-50)*.

As per **Claim 2**, the rejection of **Claim 1** is incorporated; however, Hejlsberg does not disclose:

- wherein said suitable coding module comprises a plurality of coding modules.

Ferstl discloses:

- wherein said suitable coding module comprises a plurality of coding modules *(see Column 1: 52-67 to Column 2: 1-4, "A computing grid is a hardware and software infrastructure serving to handle computing jobs submitted by a user. The computing grid may interconnect distributed computers, storage devices, mobile devices, instruments, sensors, data bases and/or software applications. Generally a computing grid may comprise virtually any kind of computing device and includes a grid infrastructure to handle the distribution of computing jobs." and "Upon receiving an instruction to distribute a computing job the grid infrastructure selects a suitable computing device and transfers the computing job to the selected computing device.")*.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ferstl into the teaching of Hejlsberg to include wherein said suitable coding module comprises a plurality of coding modules. The modification would be obvious because one of ordinary skill in the art would be motivated to utilize a plural number of computing devices to quickly solve a single computing task *(see Ferstl – Column 1: 46-50)*.

As per **Claim 3**, the rejection of **Claim 2** is incorporated; however, Hejlsberg does not disclose:

- wherein said plurality of coding modules is located on a plurality of nodes within a computational grid.

Ferstl discloses:

- wherein said plurality of coding modules is located on a plurality of nodes within a computational grid *(see Column 1: 52-67 to Column 2: 1-4, "A computing grid is a hardware and software infrastructure serving to handle computing jobs submitted by a user. The computing grid may interconnect distributed computers, storage devices, mobile devices, instruments, sensors, data bases and/or software applications. Generally a computing grid may comprise virtually any kind of computing device and includes a grid infrastructure to handle the distribution of computing jobs." and "Upon receiving an instruction to distribute a computing job the grid infrastructure selects a suitable computing device and transfers the computing job to the selected computing device.").*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ferstl into the teaching of Hejlsberg to include wherein said plurality of coding modules is located on a plurality of nodes within a computational grid. The modification would be obvious because one of ordinary skill in the art would be motivated to utilize a plural number of computing devices to quickly solve a single computing task *(see Ferstl – Column 1: 46-50).*

As per **Claim 4**, the rejection of **Claim 1** is incorporated; and Hejlsberg further discloses:

- wherein said description is generated using Object Meta Language (OML) *(see Paragraph [0006], "... a file, such as a database mapping description or declaration, is*

authored by a user or a design tool in a particular data language in which a format can be defined, such as XML. Such an exemplary file is referred to as a blueprint ...").

As per **Claim 5**, the rejection of **Claim 4** is incorporated; and Hejlsberg further discloses:

- wherein said OML is an eXtensible Markup Language (XML) dialect *(see Paragraph [0006], "... a file, such as a database mapping description or declaration, is authored by a user or a design tool in a particular data language in which a format can be defined, such as XML. Such an exemplary file is referred to as a blueprint ...").*

As per **Claim 6**, the rejection of **Claim 1** is incorporated; and Hejlsberg further discloses:

- wherein said suitable coding module is an XML template *(see Paragraph [0047], "In addition, the framework defines a file extension, .dbml, and includes a blueprint translator that can translate .dbml files containing XML-formatted mapping descriptions into source code that targets the framework.").*

As per **Claim 7**, the rejection of **Claim 1** is incorporated; and Hejlsberg further discloses:

- wherein said suitable coding module is an eXtensible Stylesheet Language (XSL) style sheet *(see Paragraph [0017], "Blueprints allow the ASP.NET markup-and-code paradigm to be extended to other domains such as user interfaces, database mapping, web services, and compiled extensible stylesheet language (XSL) transforms.").*

As per **Claim 8**, the rejection of **Claim 7** is incorporated; and Hejlsberg further discloses:

- parsing said description to locate at least one variable *(see Paragraph [0048], "... mapping the Customers table in the database to a Customer class in the Northwind namespace. Further details of the mapping include the CustomerID column that maps to an Id property, the ContactName column that maps to a Name property, etc.")*; and

- substituting said at least one variable with at least one replacement variable, wherein said at least one replacement variable is the result of an XML/XSL transform *(see Paragraphs [0048], "... the blueprint calls for an Orders collection to be generated in the Customer class based on the relation between the Customer and Order classes described in the <relation> element." and [0050], "A blueprint like the one set forth above would typically be generated by a database design tool, but it could also be authored manually or created by an XML transformation.")*.

As per **Claim 9**, the rejection of **Claim 6** is incorporated; and Hejlsberg further discloses:

- parsing said description to locate at least one variable *(see Paragraph [0048], "... mapping the Customers table in the database to a Customer class in the Northwind namespace. Further details of the mapping include the CustomerID column that maps to an Id property, the ContactName column that maps to a Name property, etc.")*; and

- substituting said at least one variable with at least one replacement variable, wherein said at least one replacement variable is stored in said XML template *(see Paragraphs [0048], "... the blueprint calls for an Orders collection to be generated in the Customer class based on the relation between the Customer and Order classes described in the <relation> element." and*

[0050], "A blueprint like the one set forth above would typically be generated by a database design tool, but it could also be authored manually or created by an XML transformation.").

Claims 12-18 are computer program product claims corresponding to the method claims above (Claims 1 and 4-9) and, therefore, are rejected for the same reasons set forth in the rejections of Claims 1 and 4-9.

As per **Claim 19**, Hejlsberg discloses:

- an input terminal for inputting an application description *(see Figure 1: 110)*;
- a web service for supplying said application description *(see Paragraph [0087], "The present invention can be applied to a wide variety of technologies, such as ... web services ...")*; and
- a coding module, wherein said coding module generates an object from said application description *(see Paragraph [0035], "... provides the parsed blueprint to a Document Object Model (DOM) for further processing. The output of the DOM is provided to a semantic analyzer and code generator. Source code 220 is thereby generated in accordance with predetermined schemas, patterns, and/or hierarchical rules, for example."; Paragraph [0058], "... a blueprint translator can use the CodeDOM (an object model for abstract syntax trees and code generation provided in the System.CodeDom namespace) to generate source code in a language-neutral fashion.").*

However, Hejlsberg does not disclose:

- a computational grid, wherein said computational grid includes a plurality of computers sharing computational resources.

Ferstl discloses:

- a computational grid, wherein said computational grid includes a plurality of computers sharing computational resources *(see Column 1: 52-67 to Column 2: 1-8, "A computing grid is a hardware and software infrastructure serving to handle computing jobs submitted by a user. The computing grid may interconnect distributed computers, storage devices, mobile devices, instruments, sensors, data bases and/or software applications. Generally a computing grid may comprise virtually any kind of computing device and includes a grid infrastructure to handle the distribution of computing jobs." and "Upon receiving an instruction to distribute a computing job the grid infrastructure selects a suitable computing device and transfers the computing job to the selected computing device." and "Accordingly, a user or application at a client device may issue an instruction to execute a computing job towards the grid infrastructure which in turn selects a suitable processing element and the processing results are ultimately returned to the client.")*.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ferstl into the teaching of Hejlsberg to include a computational grid, wherein said computational grid includes a plurality of computers sharing computational resources. The modification would be obvious because one of ordinary skill in the art would be motivated to utilize a plural number of computing devices to quickly solve a single computing task *(see Ferstl – Column 1: 46-50)*.

As per **Claim 20**, the rejection of **Claim 19** is incorporated; however, Hejlsberg does not disclose:

- wherein said coding module comprises a plurality of coding modules.

Ferstl discloses:

- wherein said coding module comprises a plurality of coding modules *(see Column 1: 52-67 to Column 2: 1-4, "A computing grid is a hardware and software infrastructure serving to handle computing jobs submitted by a user. The computing grid may interconnect distributed computers, storage devices, mobile devices, instruments, sensors, data bases and/or software applications. Generally a computing grid may comprise virtually any kind of computing device and includes a grid infrastructure to handle the distribution of computing jobs." and "Upon receiving an instruction to distribute a computing job the grid infrastructure selects a suitable computing device and transfers the computing job to the selected computing device.").*

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Ferstl into the teaching of Hejlsberg to include wherein said coding module comprises a plurality of coding modules. The modification would be obvious because one of ordinary skill in the art would be motivated to utilize a plural number of computing devices to quickly solve a single computing task *(see Ferstl – Column 1: 46-50).*

As per **Claim 21**, the rejection of **Claim 19** is incorporated; and Hejlsberg further discloses:

- wherein said application description is generated using Object Meta Language (OML) *(see Paragraph [0006], "... a file, such as a database mapping description or declaration, is*

authored by a user or a design tool in a particular data language in which a format can be defined, such as XML. Such an exemplary file is referred to as a blueprint ...").

As per **Claim 22**, the rejection of **Claim 21** is incorporated; and Hejlsberg further discloses:

- wherein said OML is an eXtensible Markup Language (XML) dialect *(see Paragraph [0006], "... a file, such as a database mapping description or declaration, is authored by a user or a design tool in a particular data language in which a format can be defined, such as XML. Such an exemplary file is referred to as a blueprint ...").*

As per **Claim 23**, the rejection of **Claim 19** is incorporated; and Hejlsberg further discloses:

- wherein said coding module is an XML template *(see Paragraph [0047], "In addition, the framework defines a file extension, .dbml, and includes a blueprint translator that can translate .dbml files containing XML-formatted mapping descriptions into source code that targets the framework.").*

As per **Claim 24**, the rejection of **Claim 19** is incorporated; and Hejlsberg further discloses:

- wherein said coding module is an eXtensible Stylesheet Language (XSL) style sheet *(see Paragraph [0017], "Blueprints allow the ASP.NET markup-and-code paradigm to be*

extended to other domains such as user interfaces, database mapping, web services, and compiled extensible stylesheet language (XSL) transforms.").

As per **Claim 25**, the rejection of **Claim 24** is incorporated; and Hejlsberg further discloses:

- parsing said description to locate at least one variable *(see Paragraph [0048], "... mapping the Customers table in the database to a Customer class in the Northwind namespace. Further details of the mapping include the CustomerID column that maps to an Id property, the ContactName column that maps to a Name property, etc.")*; and

- substituting said at least one variable with at least one replacement variable, wherein said at least one replacement variable is the result of an XML/XSL transform *(see Paragraphs [0048], "... the blueprint calls for an Orders collection to be generated in the Customer class based on the relation between the Customer and Order classes described in the <relation> element." and [0050], "A blueprint like the one set forth above would typically be generated by a database design tool, but it could also be authored manually or created by an XML transformation.")*.

As per **Claim 26**, the rejection of **Claim 23** is incorporated; and Hejlsberg further discloses:

- parsing said description to locate at least one variable *(see Paragraph [0048], "... mapping the Customers table in the database to a Customer class in the Northwind namespace.*

Further details of the mapping include the CustomerID column that maps to an Id property, the ContactName column that maps to a Name property, etc."); and

- substituting said at least one variable with at least one replacement variable, wherein said at least one replacement variable is stored in said XML template *(see Paragraphs [0048], "... the blueprint calls for an Orders collection to be generated in the Customer class based on the relation between the Customer and Order classes described in the <relation> element." and [0050], "A blueprint like the one set forth above would typically be generated by a database design tool, but it could also be authored manually or created by an XML transformation.").*

Response to Arguments

11. Applicant's arguments filed on June 9, 2008 have been fully considered, but they are not persuasive.

In the Remarks, Applicant argues:

a) Applicant has at least twice addressed the issue of the use of trademarks in the application. Applicant has pointed the Examiner to the language of M.P.E.P 608.01(v), and the Examiner has acknowledged that this section pertains to the proper use of trademarks in the patent specification (see page 19 of Office Action dated May 7, 2007, last two lines of page 19). As best as can be determined, the remaining objection to the use of trademarks is, indeed, related to their use in the patent specification, and thus, the cited section of the M.P.E.P. applies. The Examiner is respectfully requested to reconsider and withdraw the objection to the specification, to the extent such an objection is still in the Office Action.

Examiner's response:

a) Examiner disagrees. Applicant's arguments are not persuasive for at least the following reasons:

First, with respect to the Applicant's assertion of at least twice addressing the issue of the use of trademarks in the application, the Examiner respectfully submits that the Applicant has twice addressed the use of trademarks in the claims of the application, NOT the specification. Applicant's amendments to the specification have repeatedly failed to address the objection to the specification due to the use of trademarks.

Second, with respect to the Applicant's assertion that MPEP § 608.01(v) applies to the use of trademarks in the specification, the Examiner respectfully submits the following section of MPEP § 608.01(v) with emphasis added for purposes of convenience in discussion and illustration:

> **MPEP § 608.01(v) I. Trademarks**
> **If proper identification of the product sold under a trademark, or a product referred to only by a name used in trade, is omitted from the specification and such identification is deemed necessary under the principles set forth above, the examiner should hold the disclosure insufficient** and reject on the ground of insufficient disclosure any claims based on the identification of the product merely by trademark or by the name used in trade. If the product cannot be otherwise defined, an amendment defining the process of its manufacture may be permitted. Such amendments must be supported by satisfactory showings establishing that the specific nature or process of manufacture of the product as set forth in the amendment was known at the time of filing of the application. **Although the use of trademarks having definite meanings is permissible in patent applications, the proprietary nature of the marks should be respected. Trademarks should be identified by capitalizing each letter of the mark (in the case of word or letter marks) or otherwise indicating the description of the mark (in the case of marks in the form of a symbol or device or other**

nontextual form). Every effort should be made to prevent their use in any manner which might adversely affect their validity as trademarks.

According to the section of the MPEP provided above, the Examiner would like to point out that the trademarks JAVA, J2EE, and JSP are all used to describe particular products of Sun Microsystems and thus, the proprietary nature of these trademarks should be respected. Trademarks should be capitalized wherever they appear OR accompany with an appropriate designation symbol (*e.g.*, ™ or ®). Every effort should be made to prevent their use in any manner which might adversely affect their validity as trademarks.

Therefore, for at least the reasons set forth above, the objection to the specification due to the use of trademarks is proper and therefore, maintained.

In the Remarks, Applicant argues:

b) The present invention requires the identifying of modules to be combined from the description encapsulated within the OML. Without the unique identification of data requirements from the OML descriptive sources, the computing grid would not be able to find the desired resources. Claim 1 expressly claims locating a suitable coding module via a node contained within a computational grid. In other words grid technology is used to find the coding module as well as obtain it. The module may or may not reside on the computational grid. This is neither taught nor suggested by Fertl (nor Hejlsberg).

Examiner's response:

b) Examiner disagrees. Applicant's arguments are not persuasive for at least the following reasons:

First, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Second, without acquiesce to the Applicant's assertion that neither Ferstl nor Hejlsberg teaches or suggests using the grid technology to find the coding module as well as obtain it, the Examiner first submits that the claim language does not require any limitation relating to obtaining the coding module. The claims only require locating the coding module and thus, the claims are only limited to the scope of such. Applicant is reminded that in order for such limitations to be considered, the claim language requires to specifically recite such limitations in the claims, otherwise broadest reasonable interpretations of the broadly claimed limitations are deemed to be proper. Furthermore, the claims expressly recite "locating a suitable coding module via a node contained within a computational grid," which suggests that the desired coding module has to reside within the computational grid. Otherwise, an output object would not be generated if the desired coding module does not reside within the computational grid and thus, one skilled in the art would not be enabled to make and/or use the invention. Inasmuch as a coding module may or may not reside within the computational grid, the Examiner is unable to find any evidence neither in the original disclosure nor the instant claims that supports the Applicant's allegation that a coding module may or may not reside within the computational grid. The specification clearly discloses that all available coding modules (*e.g.*, XSL style sheets, XML templates, etc.) are contained within the computational grid *(see Paragraph [0015])*.

Third, with respect to the Applicant's assertion that neither Ferstl nor Hejlsberg teaches or suggests "locating a suitable coding module via a node contained within a computational grid," as previously pointed out in the Non-Final Rejection (mailed on 12/07/2007) and further clarified herein, the Examiner respectfully submits that Ferstl clearly discloses "locating a suitable coding module via a node contained within a computational grid" *(see Column 1: 52-67 to Column 2: 1-8, "A computing grid is a hardware and software infrastructure serving to handle computing jobs submitted by a user. The computing grid may interconnect distributed computers, storage devices, mobile devices, instruments, sensors, data bases and/or software applications. Generally a computing grid may comprise virtually any kind of computing device and includes a grid infrastructure to handle the distribution of computing jobs." and "Upon receiving an instruction to distribute a computing job the grid infrastructure selects a suitable computing device and transfers the computing job to the selected computing device." and "Accordingly, a user or application at a client device may issue an instruction to execute a computing job towards the grid infrastructure which in turn selects a suitable processing element and the processing results are ultimately returned to the client.")*. Note that a suitable processing element is selected via a computing node contained within the computing grid infrastructure.

Fourth, it is further noted that the claim language does not require any limitation relating to identifying of modules to be combined from the description encapsulated within the OML. The claims only require parsing the description. Applicant is again reminded that in order for such limitations to be considered, the claim language requires to specifically recite such

limitations in the claims, otherwise broadest reasonable interpretations of the broadly claimed limitations are deemed to be proper.

Therefore, for at least the reasons set forth above, the rejections made under 35 U.S.C. § 103(a) with respect to Claims 1, 12, and 19 are proper and therefore, maintained.

In the Remarks, Applicant argues:

c) Claim 1 also expressly claims applying said description to said suitable coding module to generate an output object. A process on a node within the grid knows through known grid processing about all other grid processes, as shown in Ferstl. However, the claimed invention then uses OML processing - this step does not have to be completed from an XSL transform - to assemble the combined results of the grids work. In other words, the result is a combination of many results from the grid and assembled according to the specifications within the OML by the grid. This assembly process is neither taught nor suggested in either Fertl or Hejlsberg.

Examiner's response:

c) Examiner disagrees. Applicant's arguments are not persuasive for at least the following reasons:

First, Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Second, the Examiner first submits that the claim language does not require any limitation relating to using OML processing to assemble the combined results from the

computational grid. The claims only require generating an output object and thus, the claims are only limited to the scope of such. Applicant is again reminded that in order for such limitations to be considered, the claim language requires to specifically recite such limitations in the claims, otherwise broadest reasonable interpretations of the broadly claimed limitations are deemed to be proper.

Third, as previously pointed out in the Non-Final Rejection (mailed on 12/07/2007) and further clarified herein, the Examiner respectfully submits that Hejlsberg clearly discloses applying said description to said suitable coding module to generate an output object *(see Paragraph [0035], "... provides the parsed blueprint to a Document Object Model (DOM) for further processing. The output of the DOM is provided to a semantic analyzer and code generator. Source code 220 is thereby generated in accordance with predetermined schemas, patterns, and/or hierarchical rules, for example."; Paragraph [0058], "... a blueprint translator can use the CodeDOM (an object model for abstract syntax trees and code generation provided in the System.CodeDom namespace) to generate source code in a language-neutral fashion.")*. Note that the parsed blueprint is provided to a DOM for processing and the output of the DOM is provided to a code generator to generate source code.

Therefore, for at least the reasons set forth above, the rejections made under 35 U.S.C. § 103(a) with respect to Claims 1, 12, and 19 are proper and therefore, maintained.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Qing Chen whose telephone number is 571-270-1071. The Examiner can normally be reached on Monday through Thursday from 7:30 AM to 4:00 PM. The Examiner can also be reached on alternate Fridays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wei Zhen, can be reached on 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/QC/
August 20, 2008

/Wei Y Zhen/

Supervisory Patent Examiner, Art Unit 2191